



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

वर्ष २, अंक ३२]

गुरुवार, ऑक्टोबर १३, २०१६/आश्विन २१, शके १९३८

[पृष्ठे ०७, किंमत : रुपये १८.००

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी प्रत्येक विभागाच्या पुरवणीला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग एक-अ—नागपूर विभागीय पुरवणी

(भाग ४-ब मध्ये प्रसिद्ध करण्यात आलेले आहेत त्यांव्यतिरिक्त) केवळ नागपूर विभागाशी संबंधित असलेले महाराष्ट्र जिल्हा परिषदा व पंचायत समित्या, ग्रामपंचायती, नगरपालिका बरो, जिल्हा नगरपालिका, प्राथमिक शिक्षण व स्थानिक निधी लेखापरीक्षा अधिनियम या अन्वये काढण्यात आलेले आदेश व अधिसूचना.

भाग १-अ (असा.), (ना. वि. पु), म. शा. रा., अ. क्र. १९८.

नगर विकास विभाग

मंत्रालय, मुंबई-४०० ०३२, दिनांक ३ ऑक्टोबर, २०१६.

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६.

क्रमांक -टिपीएस-२४१३-३८३-प्र.क्र.१७५-२०१३-नवि-९.—

ज्याअर्थी, नागपूर शहराची विकास नियंत्रण नियमावली, महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ (१९६६ चा महा. ३७ वा) (यापुढे “उक्त अधिनियम” असे संबोधले आहे) चे कलम ३१(१) अन्वये शासन, नगर विकास विभाग, अधिसूचना क्र. टिपीएस-२४००-१६८४-प्र.क्र. १९२-२०००-नवि-९, दिनांक ३१ मार्च, २००१ अन्वये मंजूर झाली असून ती दिनांक ९ एप्रिल, २००१ पासून अंमलात आली आहे (यापुढे “उक्त विकास नियंत्रण नियमावली” असे संबोधले आहे) ;

आणि ज्याअर्थी, नागपूर शहराच्या मंजूर विकास आराखड्यातील औद्योगिक विभागात गैर औद्योगिक वापर अनुज्ञेय करण्यासंबंधी विकास नियंत्रण नियमावली २००० मधील नियम क्रमांक १४.२ मध्ये शासन निर्णय क्रमांक टिपीएस-२४०६-४४१-प्र.क्र. ५४-०६-नवि-९, दिनांक २० जुलै, २००७ अन्वये फेरबदल करण्यात आला आहे ;

आणि ज्याअर्थी, नागपूर महानगरपालिकेच्या दिनांक २२ जानेवारी, २०१३ च्या संदर्भानुषंगाने शासनास उक्त विकास नियंत्रण नियमावलीमध्ये परत अनुषंगीक फेरबदल करणे आवश्यक झाले आहे ;

आणि ज्याअर्थी, लोकहिताचे दृष्टीने शहराच्या अस्तीत्वातील उक्त विकास नियंत्रण नियमावलीमध्ये नियम क्र. १४.२.१ (बी) मध्ये अनुसूची “अ” प्रमाणे फेरबदल करणे आवश्यक असल्याचे शासनाचे मत झाले आहे (यापुढे “उक्त फेरबदल” असे संबोधले आहे) ;

आणि ज्याअर्थी, उक्त तरतुदीच्या अनुषंगाने उक्त विकास नियंत्रण नियमावलीत, विनियम क्र. १४.२.१(बी) मधील औद्योगिक विभागात गैर औद्योगिक वापर अनुज्ञेय करण्यासंबंधी फेरबदल करण्याबाबत (यापुढे “उक्त फेरबदल” असे संबोधले आहे) उक्त अधिनियमाच्या कलम ३७ (१कक) अन्वये प्रदत्त असलेल्या अधिकारानुसार, शासनाने नगर विकास विभाग सूचना क्र. टिपीएस-२४१३-३८३-प्र.क्र. १७५-२०१३-नवि-९, दिनांक १८-१-२०१६ अन्वये निर्गमित केली आहे. सदर सूचना शासन राजपत्र भाग-१अ-नागपूर विभागीय पुरवणी, दिनांक २५-२-२०१६ ते २-३-२०१६

पृष्ठ क्रमांक १ ते ३ तसेच सुचनेचे शुद्धीपत्र भाग-१अ-नागपूर विभागीय पुरवणी, दिनांक ३-६-२०१६ ते ९-३-२०१६ पृष्ठ क्रमांक ३ व ४ वर प्रसिद्ध झाले आहे. उक्त फेरबदलाबाबत विहित मुदतीत प्राप्त होणा-या सूचना/हरकतीवर सुनावणी देण्यासाठी तसेच उक्त नमूद विहित मुदत संपल्यानंतर ३० दिवसांच्या आत शासनास अहवाल सादर करण्यासाठी सह संचालक नगररचना, नागपूर विभाग, नागपूर यांची अधिकारी म्हणून नियुक्ती करण्यात आली होती. (यापुढे “उक्त अधिकारी” असे संबोधले आहे) ;

आणि ज्याअर्थी, उक्त अधिकारी यांनी आपला अहवाल पत्र क्रमांक ७९०, दिनांक १३-५-२०१६ अन्वये सादर केला आहे ;

आणि ज्याअर्थी, उक्त अधिकारी यांचा अहवालाचा विचार करून व संचालक नगर रचना, महाराष्ट्र राज्य, पुणे यांचेशी सल्लामसलत करून व चौकशी केल्यानंतर, उक्त फेरबदल मंजूर करणे आवश्यक असल्याचे शासनाचे मत झाले आहे ;

त्याअर्थी, आता, उक्त अधिनियमाचे कलम ३७ (१कक) (ग) अन्वये प्रदत्त अधिकारांचा वापर करून शासन—

(क) उक्त फेरबदलास, प्रस्तुत अधिसूचनेसोबतच्या अनुसूची-“अ” मध्ये नमूद केल्यानुसार मंजुरी देत आहे.

(ख) प्रस्तुत मंजूर फेरबदल हा, प्रस्तुत अधिसूचना शासन राजपत्रात प्रसिद्ध झाल्याच्या दिनांकापासून अंमलात येईल.

प्रस्तुत अधिसूचना जनतेच्या अवलोकनार्थ खालील कार्यालयात कामकाजाच्या दिवशी कार्यालयीन वेळेत एक महिन्यापर्यंत उपलब्ध करून देण्यात यावी.

(१) आयुक्त, नागपूर महानगरपालिका, नागपूर.

(२) सभापती, नागपूर सुधार प्रन्यास, नागपूर.

(३) विभागीय सह संचालक नगर रचना, नागपूर विभाग, नागपूर.

SCHEDULE—A

Sr. No.	Regulation No.	Modification proposed	Modification Santioned
(1)	(2)	(3)	(4)
1	14.2.1 (b)	With the previous approval of the Commissioner/ Chairman of NIT any open land or lands or closed Industrial unit/units on such land in the Industrial Zone may be permitted to be utilised for all the users permissible in the Residential Zone with permissible FSI in Residential Zone. Subject to payment of premium to be paid equal to 20% of the rate of Developed lands as given in the Annual Statement of Rates published by IGR every year. However, FSI upto 25% of such permissible total FSI may be allowed to be utilised towards Commercial users.	With the previous approval of the Commissioner/ Chairman of NIT any open land or lands or closed Industrial unit/units on such land in the Industrial Zone may be permitted to be utilised for all the users permissible in the Residential Zone with permissible FSI in Residential Zone. Subject to payment of premium to be paid equal to 20% of the rate of Developed lands as given in the Annual Statement of Rates published by IGR every year. However, FSI of minimum 25% of such permissible total FSI shall be utilised towards Commercial users.
2	(i)	The layout or sub-division of such land admeasuring up to 2.00 Ha. Shall be approved by the Commissioner, who will ensure that 10% land for public utilities and amenities like Electric Sub-Station, Bus-Station, Sub-Post-Office, Police out post and such other amenities, as may be consider necessary, will be provided therein. <i>These area will be in addition to the Recreational space as required to be provided under these regulations.</i>	The layout or sub-division of such land admeasuring up to 2.00 Ha. Shall be approved by the Commissioner, who will ensure that 10% land for public utilities and amenities like Electric Sub-Station, Bus-Station, Sub-Post-Office, Police out post and such other amenities, as may be consider necessary, will be provided therein. <i>These area will be in addition to the Recreational space as required to be provided under these regulations.</i>
	Note	(i) Conversion from Industrial Zone to Residential/Commercial use shall be applicable to the entire land holding and layout shall be approved for the entire land holding and not in part. Conversion from industrial zone to residential/commercial use shall be applicable to the part area of land holding subject to the condition that	(i) Conversion from Industrial Zone to Residential/Commercial use shall be applicable to the entire land holding and layout shall be approved for the entire land holding and not in part. Conversion from industrial zone to residential/commercial use shall be applicable to the part area of land holding subject to the condition that

SCHEDULE-A—Contd.

(1)	(2)	(3)	(4)
		total area of the land holding shall be considered for deciding the percentage of land to be reserved for public amenity spaces, as per the said Regulations.	total area of the land holding shall be considered for deciding the percentage of land to be reserved for public amenity spaces, as per the said Regulations.
		With the special written permission of Municipal Commissioner, land having area up to 0.20 Hecter in size which are allocated for Industrial use may be permitted to be used for Residential purpose or any other permissible user in Residential Zone. Provided that, in such case the owner/Developer shall require to provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location preferably on ground floor.	With the special written permission of Municipal Commissioner, land having area up to 0.20 Hecter in size which are allocated for Industrial use may be permitted to be used for Residential purpose or any other permissible user in Residential Zone. Provided that, in such case the owner/Developer shall require to provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location preferably on ground floor.
		In case of obnoxious industries existing on the remaining part area of the land holding, necessary segregation distance shall be provided.	In case of obnoxious industries existing on the remaining part area of the land holding, necessary segregation distance shall be provided.
		However, in case of plots having non-obnoxious user, no such segregating distance shall be provided. In case of development for Industrial use on the plot adjoining to the Residential/Commercial development, the necessary segregating distance from such existing Residential/ Commercial development shall be observed.	However, in case of plots having non-obnoxious user, no such segregating distance shall be provided. In case of development for Industrial use on the plot adjoining to the Residential/Commercial development, the necessary segregating distance from such existing Residential/ Commercial development shall be observed.
		Proviso to be inserted in Regulation of Amenity Space—	
		<p>A. If Development Plan reservations (excluding DP Roads/Road Widening) are in the land under I to R conversion, then such reservation may be adjusted in amenity space as mentioned in following manner.</p> <p>(i) If, the area under Development Plan reservation is less than the required area of public amenity space as per the said Regulation, then only the difference between the area shall be provided for public amenity spaces.</p> <p>(ii) If the area under Development Plan reservation is more than the required area of public amenity spaces as per the said regulation, then the provision for public amenity spaces is not necessary.</p> <p>B. Provided further that, irrespective of land use zone, where the provisions of Development Control Regulations provide</p>	

SCHEDULE-A—Contd.

(1)	(2)	(3)	(4)
			for amenity space in Residential area which is more than what is stipulated in this regulations, then Amenity Space which is more shall only be provided.
			C. The eligible Mill workers from the closed Cotton and Textile Mills in Nagpur if any as identified by the concerned Competent Authority shall be accommodated in the 20% EWS and LIG components which shall be available through I to R conversion proposed on such Mill land as directed and decided by the concerned Departments.

Note :—All other provisions of these regulations except the above shall remain in force as sanctioned *vide* Notification dt. 20-7-2007.

सदर अधिसूचना शासनाच्या www.maharashtra.gov.in व नगर रचना संचालनालयाच्या www.dtp.maharashtra.gov.in या संकेतस्थळावर देखील उपलब्ध आहे.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नावाने,

रा. शा. चौहान,
कक्ष अधिकारी,

भाग १-अ (असा.), (ना. वि. पु), म. शा. रा., अ. क्र. १९९.

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai-32. Dated the 3rd October, 2016.

THE MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.—

No. TPS-2413-383-CR-175-2013-UD-9 :—

Whereas, the Development Control Regulations of Nagpur Municipal Corporation have been sanctioned by the Government *vide* Urban Development Notification No. TPS-2400-1684-CR-192-2000-UD-9, dated the 31st March, 2001 (hereinafter referred to as “the said Regulation”) under Section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) (hereinafter referred to as “the said Act”) and have come into force with effect from the 9th April, 2001 (hereinafter referred to as “the said DCRs”);

And whereas, in the said regulation as per Modification made *vide* Government Resolution No. TPS-2406-441-CR-54-06-UD-9, Dt. 20th July, 2007 to the Rule No. 14.2 accordingly the Non-Industrial uses are permitted in the Industrial Zone shown in the sanctioned Development Plan for Nagpur City ;

And whereas, in view of the reference made by Nagpur Municipal Corporation *vide* its letter Dt. 22nd January, 2013 it has becomes necessary to make further modification to the said Regulations ;

And whereas, in the larger interest of Public, the Government finds it expedient to modify the rule No. 14.2.1(b) according to the schedule “A” herewith to the said Regulations (hereinafter referred to as “the said modification”);

And whereas, in the light of the above, under the powers conferred on it by Section 37(1AA) of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) (hereinafter referred to as "the said Act") the Government in Urban Development Department published a Notice No. TPS-2413-383-CR-175-2013-UD-9, dated 18-1-2016 to Rules No. 14.2.1(b) accordingly the Non-Industrial uses are permitted in the Industrial Zone in the said Development Control Regulations (hereinafter referred to as "the said Modification") which appeared in the *Official Gazette* Part-A, Nagpur Divisional Supplement on the 25-2-2016 to 2-3-2016 at Page Nos. 1 to 3 and corrigendum on the 3-6-2016 to 9-3-2016 at page No. 3 to 4 and appointed the Joint Director of Town Planning, Nagpur Division, Nagpur as the officer (hereinafter referred to as "the said Officer") to hear suggestions/objections and submit his report to the Government within 30 days after expiry of above mentioned period ;

And whereas, the said Officer has submitted his report *vide* his letter No. 790, dt. 13-05-2016 to the Government ;

And whereas, after considering the report of the said Officer and consulting the Director of Town Planning, Maharashtra State, Pune and after making necessary enquiries, the Government is of the opinion that the said Modification should be sanctioned ;

Now, therefore, in exercise of the powers conferred by sub-section (1AA) (c) of Section 37 of the said Act, the Government hereby—

- (a) Sanctions the said Modification as specifically described in the Schedule-A appended to this Notification.
- (b) Fixes the date of publication of this Notification in the *Official Gazette* as the date of coming into force of the modification sanctioned *vide* this Notification.

A copy of this Notification shall be kept open for inspection by the general public during office hours in the offices on all working days for a period of one month :—

- (1) The Commissioner, Nagpur Municipal Corporation, Nagpur.
- (2) The Chairman, Nagpur Improvement Trust, Nagpur.
- (3) The Divisional Joint Director of Town Planning, Nagpur Division, Nagpur.

SCHEDULE—A

Sr. No.	Regulation No.	Modification proposed	Modification Sanctioned
(1)	(2)	(3)	(4)
1	14.2.1 (b)	With the previous approval of the Commisioner/ Chairman of NIT any open land or lands or closed Industrial unit/units on such land in the Industrial Zone may be permitted to be utilised for all the users permissible in the Residential Zone with permissible FSI in Residential Zone. Subject to payment of premium to be paid equal to 20% of the rate of Developed lands as given in the Annual Statement of Rates published by IGR every year. However FSI upto 25% of such permissible total FSI may be allowed to be utilised towards Commercial users.	With the previous approval of the Commisioner/ Chairman of NIT any open land or lands or closed Industrial unit/units on such land in the Industrial Zone may be permitted to be utilised for all the users permissible in the Residential Zone with permissible FSI in Residential Zone. Subject to payment of premium to be paid equal to 20% of the rate of Developed lands as given in the Annual Statement of Rates published by IGR every year. However FSI of minimum 25% of such permissible total FSI shall be utilised towards Commercial users.
2	(i)	The layout or sub-division of such land admeasuring up to 2.00 Ha. Shall be approved by the Commissioner, who will ensure that 10% land for public utilities and amenities like Electric Sub-Station, Bus-Station, Sub-Post-Office, Police out-post and such other amenities, as may be consider necessary, will be provided therein. <i>These area will be in addition to the Recreational space as required to be provided under these regulations.</i>	The layout or sub-division of such land admeasuring up to 2.00 Ha. Shall be approved by the Commissioner, who will ensure that 10% land for public utilities and amenities like Electric Sub-Station, Bus-Station, Sub-Post-Office, Police out-post and such other amenities, as may be consider necessary, will be provided therein. <i>These area will be in addition to the Recreational space as required to be provided under these regulations.</i>

SCHEDULE-A—Contd.

(1)	(2)	(3)	(4)
<i>Note</i>	(i) Conversion from Industrial Zone to Residential/Commercial use shall be applicable to the entire land holding and layout shall be approved for the entire land holding and not in part. Conversion from industrial zone to residential/commercial use shall be applicable to the part area of land holding subject to the condition that total area of the land holding shall be considered for deciding the percentage of land to be reserved for public amenity spaces, as per the said Regulations.	(i) Conversion from Industrial Zone to Residential/Commercial use shall be applicable to the entire land holding and layout shall be approved for the entire land holding and not in part. Conversion from industrial zone to residential/commercial use shall be applicable to the part area of land holding subject to the condition that total area of the land holding shall be considered for deciding the percentage of land to be reserved for public amenity spaces, as per the said Regulations.	
	<p>With the special written permission of Municipal Commissioner, land having area up to 0.20 Hector in size which are allocated for Industrial use may be permitted to be used for Residential purpose or any other permissible user in Residential Zone. Provided that, in such case the owner/Developer shall require to provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location preferably on ground floor.</p> <p>In case of obnoxious industries existing on the remaining part area of the land holding, necessary segregation distance shall be provided.</p> <p>However in case of plots having non-obnoxious user, no such segregating distance shall be provided. In case of development for Industrial use on the plot adjoining to the Residential/Commercial development, the necessary segregating distance from such existing Residential/Commercial development shall be observed.</p>	<p>With the special written permission of Municipal Commissioner, land having area up to 0.20 Hector in size which are allocated for Industrial use may be permitted to be used for Residential purpose or any other permissible user in Residential Zone. Provided that, in such case the owner/Developer shall require to provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location preferably on ground floor.</p> <p>In case of obnoxious industries existing on the remaining part area of the land holding, necessary segregation distance shall be provided.</p> <p>However in case of plots having non-obnoxious user, no such segregating distance shall be provided. In case of development for Industrial use on the plot adjoining to the Residential/Commercial development, the necessary segregating distance from such existing Residential/Commercial development shall be observed.</p>	
			<p>Proviso to be inserted in Regulation of Amenity Space—</p>
			<p>A. If Development Plan reservations (excluding DP Roads/Road Widening) are in the land under I to R conversion, then such reservation may be adjusted in amenity space as mentioned in following manner.</p> <p>(i) If the area under Development Plan reservation is less than the required area of public amenity space as per the said Regulation, then only the difference between the area shall be provided for public amenity spaces.</p>

SCHEDULE-A—Contd.

(1)	(2)	(3)	(4)
			<p>(ii) If the area under Development Plan reservation is more than the required area of public amenity spaces as per the said regulation, then the provision for public amenity spaces is not necessary.</p> <p>B. Provided further that, irrespective of land use zone, where the provisions of Development Control Regulations provide for amenity space in Residential area which is more than what is stipulated in this regulations, then Amenity Space which is more shall only be provided.</p> <p>C. The eligible Mill workers from the closed Cotton and Textile Mills in Nagpur if any as identified by the concerned Competent Authority shall be accommodated in the 20% EWS and LIG components which shall be available through I to R conversion proposed on such Mill land as directed and decided by the concerned Departments.</p>

Note :—All other provisions of these regulations except the above shall remain in force as sanctioned *vide* Notification dt. 20-7-2007.

This Notice shall also be available on the Govt.'s web site at www.maharashtra.gov.in as well as on web site of Director of Town Planning Pune at www.dtp.maharashtra.gov.in

By order and in the name of the Governor of Maharashtra.

R. S. CHOUHAN,
Desk Officer.